

AN ORDINANCE OF THE CITY OF FRISCO, TEXAS, AMENDING ORDINANCE NO. 08-07-67, SECTION 7.A.: (PERMIT FEE & EXEMPTIONS); SECTION 8.B.6. AND 7: (PERMIT ISSUANCE, DENIAL, DURATION, AND FORM), AND SECTION 12.B.2.: (SOLICITATION AND DISTRIBUTION); PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, the City Council of the City of Frisco, Texas, ("City Council") has investigated and determined that Ordinance No. 08-07-67 should be amended as set forth below; and

WHEREAS, Frisco has complied with all notices and public hearings as required by law; and

WHEREAS, the City Council finds that it will be advantageous and beneficial and in the best interest of the citizens of Frisco to amend its Ordinance No. 08-07-67 as set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS:

SECTION 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2: Amendment to Ordinance No. 08-07-67, Section 7.A. (Permit Fee & Exemptions). Ordinance No. 08-07-67, Section 7, Paragraph A (Permit Fee & Exemptions) is hereby amended as follows:

SECTION 7: Permit Fee & Exemptions.

- A. Except as otherwise provided, every application shall be accompanied by a nonrefundable application fee of Fifty Dollars (\$50.00) to compensate the City for the cost of administering this Ordinance, and such fee will not be refunded if a permit is not issued. No permit provided for by this Ordinance shall be issued until such fee has been paid by the applicant, unless an exemption applies.

SECTION 3: Amendment to Ordinance No. 08-07-67, Section 8.B.6 and 7 (Permit Issuance, Denial, Duration, and Form). Ordinance No. 08-07-67, Section 8, Paragraph B (Permit Issuance, Denial, Duration, and Form) is hereby amended as follows:

SECTION 8: Permit Issuance, Denial, Duration, and Form.

B. The Frisco Police Department shall approve the application and issue the permit unless:

6. a court of law has issued an emergency protective order against the applicant; or
7. the applicant is a registered sex offender.

SECTION 4: Amendment to Ordinance No. 08-07-67, Section 12.B.2. (Solicitation and Distribution). Ordinance No. 08-07-67, Section 12.B.2 (Solicitation and Distribution) is hereby amended as follows:

SECTION 12: Solicitation and Distribution.

B. An individual, directly or through an agent or employee, may not:

2. solicit funds or distribute commercial or noncommercial handbills at a place of residence during the following hours unless invited to do so by the occupant or owner of the residence:

Monday- Friday: Before 9:00 a.m. and after the earlier of dusk or 9:00 p.m.

Saturday and Sunday: Before 10:00 a.m. and after the earlier of dusk or 9:00 p.m.

For purposes of this section, dusk means thirty minutes (30) minutes after sunset.

SECTION 5: Savings/Repealing Clause. Ordinance No. 08-07-67 shall remain in full force and effect, save and except as amended by this or any other Ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 6: Severability. Should any section, subsection, clause or phrase of this Ordinance be declared unconstitutional or invalid by any court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Frisco hereby declares that it would have passed this Ordinance, and each section, subsection, clauses and phrases be declared unconstitutional or invalid.

SECTION 7: Effective Date. This Ordinance shall be effective immediately upon its passage and publication as required by law.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS, on this 6th day of May, 2014.

Meh Maso



Meh Maso, Mayor

ATTESTED AND CORRECTLY RECORDED

Jenny Page

Jenny Page, City Secretary

-- Date(s) of Publication Published May 9th & May 16, 2014, in the *Frisco Enterprise*